

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JUNE 25, 1990  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:03 p.m.  
Mayor O'Connor adjourned the meeting at 6:23 p.m. to meet in Closed  
Session on potential litigation in the twelfth floor conference room  
at 9:30 a.m., Tuesday, June 26, 1990.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour, Fishkin (eb)

FILE LOCATION: MINUTES

Jun-25-1990

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor O'Connor-present

- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

Jun-25-1990

ITEM-10: INVOCATION

Invocation was given by Reverend David Vanlandingham,  
Pacific Beach Church of Christ.

FILE LOCATION: MINUTES

Jun-25-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Hartley.

FILE LOCATION: MINUTES

ITEM-30: (R-90-2154) ADOPTED AS RESOLUTION R-275945

Authorizing a Suggestion Award and making a presentation to  
the following City employee:

James T. Eaton - Engineering and Development - \$500.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A104-116.)

MOTION BY COMMON CONSENT TO APPROVE. Passed by the following  
vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-yea.

ITEM-31: DENIED HEARING

Matter of the request of Signal Landmark, by James R. Dawe, of Seltzer Caplan Wilkins & McMahon, for a hearing of an appeal from the decision of the Planning Commission in denying Planned Residential Development Permit, Resource Protection Overlay Zone Permit and Vesting Tentative Map (Fairbanks Highlands), PRD, RPZ & VTM-88-1041, proposing to construct 92 single-family detached residences (including site landscaping, brush management and off-street parking) on a vacant 391-acre site.

The Vesting Tentative Map proposes the 109-lot subdivision of this site for each of the proposed residential development parcels, seven open space lots, one private recreation lot, and necessary public facilities to serve the site.

The subject property is located generally north of Black Mountain Road and immediately west of the Penasquitos community in Zone A-1-10 (portions Hillside Review) and within the boundaries of the future urbanization area as identified by the City's General Plan. The subject property is more particularly described as portions of the northeast quarter and the east half of the northwest quarter of Section 11, the northwest quarter of Section 12, Township 14 South, Range 3 West, SBBM, Parcel Map-8133. (PRD, RPZ & VTM-88-1041. District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM-PRD/RPOZ-88-1041 SUBD-Fairbanks  
Highlands

COUNCIL ACTION: (Tape location: A116-137.)

MOTION BY WOLFSHEIMER TO DENY THE REQUEST FOR A HEARING. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: GRANTED HEARING

Matter of the request of Alfred Strohlein, et al, for a hearing of an appeal from the decision of the Planning

Director in approving Early Release Single-Family Neighborhood Protection Ordinance Case-90-3014, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property located at 1672 Missouri Street is located within a single-family neighborhood. The subject property is further described as Lot 12, Block A, Hendricks Addition, Map-1873 in Zone R-1500 (Multi-Family), in the Pacific Beach Community Plan area.  
(ER-90-3014. District-6.)  
A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION:     ZONE-ERSFNPO Case ER-90-3014

COUNCIL ACTION:    (Tape location: A138-152.)

MOTION BY HENDERSON TO GRANT THE HEARING ON THE FINDING THAT THE APPEAL HAS CITYWIDE SIGNIFICANCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-33:           DENIED HEARING

Matter of the request of Alfred Strohlein, from the decision of the Planning Director in approving Early Release Single-Family Neighborhood Protection Ordinance Case-90-3015, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property located at 934 Agate Street is located within a single-family neighborhood. The subject property is further described as Lot 32, Block 5 & portion of Lots 30 and 32, Block 5, Subdivision Pacific Beach Vista Tract, in Zone R-1500 (Multi-Family), in the Pacific Beach Community Plan area.  
(ER-90-3015. District-6.)  
A motion granting or denying the request for a hearing of

the appeal.

FILE LOCATION:     ZONE-ERSFNPO Case-ER-90-3015

COUNCIL ACTION:    (Tape location: A153-163.)

MOTION BY HENDERSON TO DENY THE REQUEST FOR A HEARING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

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ITEM-34:           DENIED HEARING

Matter of the request of Alfred Strohlein, et al, for a hearing of an appeal from the decision of the Planning Director in approving Early Release Single-Family Neighborhood Protection Ordinance Case-90-3016, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property located at 1612 Chalcedony Street is located within a single-family neighborhood. The subject property is further described as Lot 36, Pacific Beach Map-854, in Zone R-1500 (Multi-Family), in the Pacific Beach Community Plan area.

(ER-90-3016. District-6.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION:     ZONE-ERSFNPO Case ER-90-3016

COUNCIL ACTION:    (Tape location: A153-163.)

MOTION BY HENDERSON TO DENY THE REQUEST FOR A HEARING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Jun-25-1990

ITEM-35:           DENIED HEARING

Matter of the request of Shell Oil Company by Michael K.

McCreedy of Tait & Associates, Inc., for a hearing of an appeal from the decision of the Planning Commission in granting Conditional Use Permit CUP-89-1243 to allow for the conversion of an existing building to a 24-hour convenience store and also to increase the existing island canopy size. The appellant is appealing the decision relating to the height of a sign. The subject property is located at 2606 Clairemont Drive in the CA Zone, and is more particularly described as Lot 6 of Clairemar Subdivision Map-6155, within the Clairemont Mesa Community Plan area.

(CUP-89-1243. District-6.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM-CUP-89-1243

COUNCIL ACTION: (Tape location: A164-172.)

MOTION BY HENDERSON TO DENY THE HEARING. Second by McCarty.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-36: GRANTED HEARING

Matter of the request of Shiu Tsung, by Gary Taylor, AIA, Gary Taylor & Associates, Inc., for a hearing of an appeal from the decision of the Planning Director in denying Early Release Single-Family Neighborhood Protection Ordinance Case-89-3100, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property located at 4536-4540 Arizona, is located within a single-family neighborhood. The subject property is further described as Lots 33 and 34 of Block 52, University Heights, in Zone MR-1750 (Multi-Family), in the Mid-City Community Plan area. (ER-89-3100. District-3.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION:     ZONE-ERSFNPO Case-ER-89-3100

COUNCIL ACTION:    (Tape location: A192-196.)

MOTION BY HARTLEY TO GRANT THE REQUEST FOR A HEARING ON THE FINDING THAT THE MATTER HAS CITYWIDE SIGNIFICANCE. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-50:

Two actions relative to the Mission Valley Planned District Ordinance (PDO):  
(District-5.)

Subitem-A:   (O-90-230)   RE-INTRODUCED AS AMENDED, TO BE  
ADOPTED JULY 9, 1990

Amending Chapter X, Article 3 of the San Diego Municipal Code by adding Division 21 relating to the Mission Valley Planned District.

(Introduced as amended on 6/12/90. Council voted 8-0.  
Mayor not present.)

Subitem-B:   (O-90-231)   RE-INTRODUCED AS AMENDED, TO BE  
ADOPTED JULY 9, 1990

Incorporating various properties located within the Mission Valley Community Plan area into the Mission Valley Planned District Ordinance for the purposes of implementing the Mission Valley Community Plan; for development intensity purposes, this Ordinance also incorporates those properties in the Linda Vista Community Plan Area adjacent to Friars Road.

(Introduced on 6/12/90. Council voted 8-0. Mayor not present.)

FILE LOCATION:     LAND-Mission Valley Planned District

COUNCIL ACTION:    (Tape location: A233-B175.)

MOTION BY BERNHARDT TO RE-INTRODUCE AS AMENDED TO LEAVE CERTAIN SLOPES AS A-1-40 AND DIRECT THE PLANNING DEPARTMENT AND THE CITY ATTORNEY TO INITIATE A COMMUNITY PLAN AMENDMENT THAT WILL MAKE THE ZONING CONSISTENT WITH THE PLAN. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-100: (R-90-2063) ADOPTED AS RESOLUTION R-275946

Accepting the low bid of \$61,836, which is 24 percent over the City's estimate of \$50,000, and awarding a contract to H.S. Excel Corporation for the Construction of Storm Drain and Inlets at South Hempstead Circle, Hilldale Drive and Canterbury Drive; authorizing the City Auditor and Comptroller to transfer \$19,936 from Proposition 'A' Fund 30300, CIP-58-004, Miscellaneous Requirements - City Streets, to Development Impact Fee Fund No. 79504, CIP-11-271, Storm Drains at South Hempstead Circle, Canterbury Drive and Hilldale Road, to supplement funds previously authorized by Resolution R-275363, adopted on March 26, 1990; authorizing the expenditure of an amount not to exceed \$94,936 from Development Impact Fee Fund No. 79504, CIP-11-271, Storm Drains at South Hempstead Circle, Canterbury Drive and Hilldale Road, for the project and related costs; authorizing the Auditor and Comptroller, upon advice

from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-K1337/90)

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: This project will remove the existing obsolete underdrains built about fifty years ago at the intersection of Canterbury Drive with Hilldale Road by installing storm drain pipe, cleanouts, inlets at South Hempstead Circle, Canterbury Drive, and Hilldale Road. This project will improve the drainage as well as traffic safety on these collector streets within the Mid-City Community Area. Bids were opened on April 17, 1990, with the low bid of \$61,836 from H.S. Excel Corporation. This bid was the lowest of nine bids received from 36 bid packages issued and was 24 percent over the engineer's estimate of \$50,000. The next two low bids were from V.H. Perry, Inc., and Overson-Rand Corporation for \$64,718.82 and \$73,869, respectively. After the review of these bids, it is believed that readvertising would not produce lower bids. It is recommended that this contract be awarded to H.S. Excel Corporation.

Aud. Cert. 9001029.

FILE LOCATION: CONT-H.S. Excel Corporation  
CONTFY90-1



COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-90-1650) ADOPTED AS RESOLUTION R-275947

Awarding a contract to Coastline Landscapes for furnishing complete landscape maintenance of mini-parks-enhanced open spaces, medians, rights-of-way and open space within the North City West Landscape Maintenance District (Contract 1), as may be required for a period of one year beginning July 1, 1990 through June 30, 1991, for a total estimated annual cost of \$173,000, with an option to renew the

contract for four additional one year periods with price escalations not to exceed three percent of prices in effect at the end of each prior year; in the event the contractor does not perform to specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsive and responsible bidder and to subsequent bidders, if necessary, until a bidder is found who performs to specifications. (BID-C1461/90)  
(District-1.)

FILE LOCATION: STRT M-204 CONTFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-90-2062) ADOPTED AS RESOLUTION R-275948

Awarding a contract to One Tripp Tree Service for tree maintenance service in the Scripps-Miramar Open Space District, as may be required for a period of one year beginning July 1, 1990 through June 30, 1991, for an estimated cost of \$38,500, with options to renew the contract for four one year periods with escalation not to exceed five percent of prices in effect at the end of each prior year; in the event the contractor does not perform to specifications, the Purchasing Agent is authorized to

terminate the contract and award to the next low responsible bidder and to subsequent bidders, if necessary, until a bidder is found who performs to specifications.  
(BID-C1479/90)  
(District-5.)

FILE LOCATION:    STRT M-210    CONTFY90-1

COUNCIL ACTION:    (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-90-1644)    ADOPTED AS RESOLUTION R-275949

Awarding contracts to Bebco, Jack's Tractor and Equipment, Inc., and Walton Products, Inc., for a total cost of \$63,528.47, as follows:

1. Bebco for Item 1 - one Pup Trailer.
2. Jack's Tractor and Equipment, Inc. for Item 2 - two Tilt Trailers, 15M gross weight.
3. Walton Products, Inc. for Item 3 - two Tilt Trailers, 23M gross weight; Item 4 - two Dump Trailers, 1 cubic yard size.

Authorizing the expenditure of an amount not to exceed \$63,528.47 as follows:

	Fund	Dept.	Acct.	Job Order	Total
Bebco	50033	8203	6013	88080	\$23,443.78
Jack's Tractor					
& Equipment	50033	8203	6013	88080	\$ 7,164.30
	50031	8201	6013	88090	\$ 7,164.30
Jack's Total					\$14,328.60

Walton Products

50033	8203	6013	88080	\$25,756.09
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For providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-B1455/90)  
Aud. Cert. 9001053.

FILE LOCATION:    CONT-Purchase-Bebco, Jack's Tractor and Equipment, Inc., and Walton Products, Inc.

CONTFY90-3

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-90-1649) ADOPTED AS RESOLUTION R-275950

Awarding a contract to Hydro-Scape Products for the purchase of 2 five-gang mowers and 2 trailers for a total cost of \$65,990.92, including tax and terms; authorizing the expenditure of not to exceed \$65,990.92 from Department No. 8203, Fund No. 50033, Object Account No. 6013, and Job Order No. 88080, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-G1563/90)  
Aud. Cert. 9001049.

FILE LOCATION: CONT-Purchase-Hydro-Scape Products  
CONTFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-105: (R-90-1634) ADOPTED AS RESOLUTION R-275951

Awarding a contract to Hawthorne Machinery Co. for the lease of one heavy-duty wheel tractor - water tanker, with full maintenance and option to purchase, as may be required for a period of one year beginning approximately September 1, 1990 through August 31, 1991, Option A - City-furnished fuel, for an estimated cost for the first year of \$74,221, including tax, with options to renew the contract for four additional one year periods, and options to purchase at the end of each contract year. (BID-B1370/90)

FILE LOCATION: CONT-Purchase-Hawthorne Machinery Co.  
CONTFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106: (R-90-1640) ADOPTED AS RESOLUTION R-275952

Awarding contracts for the purchase of various trucks, for  
a grand total of \$659,077.65, including tax, as follows:  
(BID-B1459/90)

1. Miramar Ford for Item 1A - five Brush Trucks; Item 1B -  
one Brush Winch Truck; Item 2 - one Chipper Truck;  
Item 5 - three Backhoe Tow Trucks; Item 6 - two Mower  
Trucks; Item 7 - two Twelve Foot Flatbed Trucks; Item 8  
- one Twenty Foot Flatbed Truck.
2. Fuller Ford for Item 3 - one Compressor Dump Truck;  
Item 4 - two Emulsion Flatbed Trucks; Item 9 - one  
Herbicide Spray Truck; Item 10 - one Weed Spray Truck.

Declaring that in the event the vendor fails to deliver  
equipment meeting specifications the Purchasing Agent is  
authorized to terminate the purchase contract and re-award  
to the next low responsible and responsive bidder whose  
equipment meets specifications; authorizing the transfer  
and expenditure of an amount not to exceed \$659,077.65, as  
follows:

FUNDING:

MIRAMAR FORD:

FUND	DEPT.	ACCT.	JOB ORDER	AMOUNT
50031	8201	6013	88090	\$445,602.31
50033	8203	6013	88080	110,606.93
Miramar Ford Total				\$556,209.24

FULLER FORD:

FUND	DEPT.	ACCT.	JOB ORDER	AMOUNT
50033	8203	6013	88080	\$ 30,451.49
50031	8203	6013	88070	41,888.20
50033	8203	6013	88070	30,528.72
Fuller Ford Total				\$102,868.41

Aud. Cert. 9001023.

FILE LOCATION: CONT-Purchase-Miramar Ford, Fuller Ford  
CONTFY90-2

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107: (R-90-1647) ADOPTED AS RESOLUTION R-275953

Awarding a contract to Norstar Industries, Inc. for the purchase of one pesticide spray truck with computer option, for a total cost of \$53,115.56 including tax; authorizing the expenditure of an amount not to exceed \$53,115.56 from Department No. 8203, Fund No. 50033, Object Account No. 6013, and Job Order No. 88070, for providing funds for the project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-B1462/90)  
Aud. Cert. 9001052.

FILE LOCATION: CONT-Purchase-Norstar Industries, Inc.  
CONTFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-90-1648) ADOPTED AS RESOLUTION R-275954

Awarding a contract to Haz-Stor Company for the purchase of three hazardous materials storage buildings as follows: one 16 ft. building at a cost of \$24,138; one twenty ft. building at a cost of \$18,463; one eight ft. building at a cost of \$9,573; and an estimated 400 linear feet of steel shelving at a cost of \$24 per foot, for a total combined cost of \$66,252.62, including tax and terms; authorizing the expenditure of an amount not to exceed \$66,252.62 (\$33,126.31 from Department No. 443, Organization No. 620, Object Account No. 6010, Job Order No. 044362, and \$33,126.31 from Department No. 443, Organization No. 520, Object Account No. 6010, Job Order No. 044352) for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from

the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-G1464/90)  
Aud. Cert. 9001034.

FILE LOCATION: CONT-Purchase-Haz-Stor Company  
CONTFY90-1

COUNCIL ACTION: (Tape location: B174-204.)  
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-109: (R-90-1641) ADOPTED AS RESOLUTION R-275955

Awarding contracts to Chino-Corona Farms, Inc. and Burns and Sons Trucking, Inc., for removal and disposal of an estimated 120,000 tons of digested sludge from Fiesta Island, as may be required for a period of one year beginning August 1, 1990 through July 31, 1991, for a total estimated cost of \$2,539,200, as follows:

1. Chino-Corona Farms, Inc. - for approximately 80,000 tons of sludge at a cost of \$20.78 per ton, for a total cost of \$1,662,400, with options to renew for two additional one year periods, with a price escalation not to exceed 10% of prices in effect at the end of each prior year.
2. Burns and Sons Trucking, Inc. - for approximately 40,000 tons of sludge at a cost of \$21.92 per ton, for a total estimated cost of \$876,800, with options to renew for two additional one year periods with a price escalation not to exceed 10% of prices in effect at the end of the prior year.

In the event that a successful bidder does not perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and re-award to the next low responsible and responsive bidder and to subsequent bidders, if necessary, until a bidder is found who can comply with specifications. (BID-B1216/90)

FILE LOCATION: CONT-Purchase-Chino-Corona Farms, Inc. and  
Burns and Sons Trucking, Inc.  
CONTFY90-2

COUNCIL ACTION: (Tape location: B209-281.)

MOTION BY FILNER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-110: (R-90-1636) ADOPTED AS RESOLUTION R-275956

Awarding a contract to Rehrig Pacific Company for the purchase of 30,000 sets of stackable plastic containers for the Curbside Recycling Program for an estimated cost of \$339,741.25, including tax and terms; authorizing the expenditure of an amount not to exceed \$339,741.25 from Fund No. 41200, Department No. 751, Object Account No. 3217, and Job Order No. 007421, for the project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-G1426/90)  
Aud. Cert. 9001057.

FILE LOCATION: CONT-Purchase-Rehrig Pacific Company  
CONTFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-90-1646) ADOPTED AS RESOLUTION R-275957

Awarding a contract to The Trane Company for the purchase of two sixty-ton chillers with scroll for a total cost of \$67,133.14, including tax and terms; authorizing the expenditure of an amount not to exceed \$67,133.14 from Fund No. 30245, Department No. 30244, Organization No. 106, Object Account No. 4922, and Job Order No. 119517, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-G1454/90)  
Aud. Cert. 9001037.

FILE LOCATION: CONT-Purchase-The Trane Company

CONTFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112: (R-90-2064) ADOPTED AS RESOLUTION R-275958

Awarding a contract to T & J Garage, Inc. for the purchase of seven recycling trucks (Crane Carrier LET 23C with medium duty frame option), for a total cost of \$89,383.22, including tax, as authorized by Resolution R-275103, adopted on February 5, 1990, to add one additional recycling truck at the same price; authorizing the expenditure of an amount not to exceed \$89,383.22 from Department No. 8203, Fund No. 50033, Object Account No. 6013, and Job Order No. 88080, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C1176/90)  
Aud. Cert. 9001047.

FILE LOCATION: CONT-Purchase-T & J Garage, Inc.  
CONTFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-113: (R-90-1642) ADOPTED AS RESOLUTION R-275959

Approving the assignment of the contract with Gulf Oil Company for furnishing Type III Asphalt Concrete, as previously authorized by Resolution R-273748, adopted on June 19, 1989, to Lakeside Asphalt Plant, a Division of Chevron USA, Inc., at an estimated cost of \$350,000.  
(BID-0665/89)

FILE LOCATION: CONT-Purchase-Gulf Oil Company



CONFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-114: (R-90-2061) ADOPTED AS RESOLUTION R-275960

Inviting bids for the construction of Morena Boulevard  
Bridge Deck Overlay and Painting of Steel Structure on Work  
Order No. 119447; authorizing the execution of a contract  
with the lowest responsible bidder; authorizing the  
expenditure of funds not to exceed \$590,000 from Gas Tax  
Fund No. 30219, for said project and related costs;  
authorizing the Auditor and Comptroller, upon advice from  
the administering department, to transfer excess budgeted  
funds, if any, to the appropriate reserves. (BID-K1594/90)  
(Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The Morena Boulevard  
bridge over the San Diego River floodway is 1,021 feet long and  
consists of thirteen steel girder spans on concrete piers and  
abutments and provides two 24-foot wide roadways. This bridge  
was constructed in 1952 and it was repainted in 1970. The  
existing paint is in poor condition and a large percentage of  
the surface area of the structural steel is starting to rust.  
This project will provide blast cleaning and apply the prime and  
finish coats for all the girder understructure, per the State of  
California bridge paint specifications. In recent years,  
progressive physical damage to the bridge deck has occurred.  
Linear fractures and delaminations have produced a rough riding  
surface, necessitating frequent deck repairs. This project will  
repair and overlay the bridge deck to prevent further  
deterioration of the existing substrate while providing a  
relatively impermeable, skid resistant wearing surface.  
Aud. Cert. 9001019.

FILE LOCATION: W.O.119447 CONFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-115:

Two actions relative to the Improvement of Logan Heights  
Alley and Street Replacement - Contract No. 5 (1911  
Improvement Act):

(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-90-1530) ADOPTED AS RESOLUTION R-275961

Authorizing the City Manager to initiate proceedings to  
prepare for the issuance of a Resolution of Intention for  
the improvement of Logan Heights Alley and Street  
Replacement - Contract No. 5; directing the City Manager to  
prepare plans, drawings, typical cross-sections, profiles  
and specifications for Logan Heights Alley and Street  
Replacement - Contract No. 5, together with estimates of  
the costs and expenses of the work, and to furnish the

Council with a description of the district to be included  
in the assessment.

Subitem-B: (R-90-1531) ADOPTED AS RESOLUTION R-275962

Resolution of Intention for the Improvement of Logan  
Heights Alley and Street Replacement - Contract No. 5,  
under the provisions of the San Diego Municipal Code and  
the Improvement Act of 1911.

CITY MANAGER SUPPORTING INFORMATION: The Logan Heights Alley  
and Street Replacement - Contract No. 5 is the fifth project in  
the Logan Heights area to be considered by Council under the  
CDBG - Assessment District cost sharing concept. The cost  
sharing concept is based on CDBG funds being used to finance 50  
percent of the alley improvements regardless of the income or  
residency status of the benefitting property owners. The  
remaining 50 percent of the alley improvement cost will be  
assessed to the benefitting parcels with CDBG funds being  
utilized to pay the assessments for owner-occupants who meet HUD  
income guidelines. Property owners who do not qualify may pay  
the remaining 50 percent over a period of ten years. The  
proposed improvements to the two alleys and one street included  
in this contract consist of clearing, grubbing, grading, paving,  
curb, retaining wall and miscellaneous minor improvements.  
Alley Block 22 is located between 25th and 26th Streets and  
between Island and Market Streets. Alley Block 38 is located

between 26th and 27th Streets between "G" and Market Streets. The portion of "G" Street to be improved is located between 26th and 27th Streets. There are 37 parcels involved and 11 of them are owner-occupied. All property owners have been notified of the proposed improvements and given information regarding the assessment payment program.  
Aud. Cert. 9000791.

FILE LOCATION: Subitems A and B STRT-D2285

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-116:

Three actions relative to Cost Reimbursement District  
Formation Costs - International Business Center:  
(Otay Mesa Community Area. District-8.)

Subitem-A: (R-90-2032) ADOPTED AS RESOLUTION R-275963

Authorizing the execution of a District Formation Cost  
Agreement with Great American Development Company;  
authorizing the City Auditor and Comptroller to accept a  
cash advance of \$27,000 from Great American Development  
Company.

Subitem-B: (R-90-2033) ADOPTED AS RESOLUTION R-275964

Authorizing the execution of a consultant agreement with  
Willdan Associates, as assessment engineer.

Subitem-C: (R-90-2034) ADOPTED AS RESOLUTION R-275965

Authorizing the City Auditor and Comptroller to establish  
the International Business Center Fund (Fund No. 72008) to  
make appropriate payments.

CITY MANAGER SUPPORTING INFORMATION: In May 1988, the City Council authorized the initiation for the formation of a Cost Reimbursement District for the developer of International Business Center, Great American Development Company. The

improvements for which the developer is seeking partial reimbursement include right-of-way acquisition, grading, sewer and surface improvements associated with the widening of Britannia Boulevard and Siempre Viva Road. A noticed public hearing will be held in the near future. At the hearing, a recommendation will be made to Council as to the types and costs of improvements which should be reimbursed to the developer by benefitting property owners.  
Aud. Cert. 9001001.

FILE LOCATION: Subitems A, B, and C STRT-CR-4  
CONFY90-1 CCONFY90-1

COUNCIL ACTION: (Tape location: B174-204.)  
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-117:  
Two actions relative to the First San Diego River  
Improvement Project (FSDRIP) Landscape Maintenance  
District:  
(Mission Valley Community Area. (District-5.)  
Subitem-A: (R-90-2054) ADOPTED AS RESOLUTION R-275966

Resolution of Intention to levy and collect assessment.

Subitem-B: (R-90-2055) ADOPTED AS RESOLUTION R-275967

Approving the City Engineer's Report.  
CITY MANAGER SUPPORTING INFORMATION: The First San Diego River Improvement Project (FSDRIP) Landscape Maintenance District was established in May 1987. The facility proposed to be maintained consists of San Diego River earthen flood control channel, eight river islands inside the channel zone, and an approximately 20-foot wide buffer zone running along and adjacent to the channel embankments. The Fiscal Year 1991 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$246,000
Personnel	28,753
Utilities	40,200
Incidentals	36,947 *

Total Expenses	351,900
Reserve	105,303
Total	457,203
Less Carry-over & Interest	21,344
Less City Contribution	0
Assessed to District	\$435,859

\* Includes Assessment District Management Fee of \$18,625.

Fiscal Year 1991 assessments will range from \$467 to \$75,494 per parcel, as compared to a range from \$150 to \$23,300 in Fiscal Year 1990. The large increase in the assessments is due to the fact that the assessments in Fiscal year 1990 covered only about two months of maintenance while Fiscal Year 1991 will cover the maintenance operation of the entire year.

FILE LOCATION: Subitems A and B STRT-M-221

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-118:

Two actions relative to the Lopez Canyon Stormwater Retention Basin Maintenance District:

(Mira Mesa Community Area. District-5.)

Subitem-A: (R-90-2158) ADOPTED AS RESOLUTION R-275968

Resolution of Intention to levy and collect assessment.

Subitem-B: (R-90-2159) ADOPTED AS RESOLUTION R-275969

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Lopez Canyon Stormwater Retention Basin Maintenance District. The district provides maintenance for the retention basin. The Fiscal Year 1991 proposed maintenance costs for the district are as follows:

Incidental Expenses	
(City Forces)	\$5,000
Major Maintenance Reserve	2,500
Total Expenses	\$7,500
Less Carry-over & Interest	7,500

Assessed to District \$ 0

The carry-over and interest from the previous year is \$7,500. The proposed expenditure to maintain and carry the district forward in Fiscal Year 1991 is \$5,000. The balance (\$2,500) remaining in Fiscal Year 1991 is sufficient to continue to provide a \$2,500 Major Maintenance Reserve. Consequently, no assessments to the district are proposed for Fiscal Year 1991. The amount assessed to the district in Fiscal Year 1990 was also zero.

FILE LOCATION: STRT M-219

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-119:

Two actions relative to the San Ysidro Boulevard Landscape Maintenance District:

(San Ysidro Community Area. District-8.)

Subitem-A: (R-90-2166) ADOPTED AS RESOLUTION R-275970

Resolution of Intention to levy and collect assessment.

Subitem-B: (R-90-2167) ADOPTED AS RESOLUTION R-275971

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the San Ysidro Boulevard Landscape Maintenance District. The district provides maintenance for the landscaping, decorative pavement, decorative sidewalk and street amenities such as bollards, benches and planter boxes. The Fiscal Year 1991 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$12,309
Personnel	6,238
Utilities	2,650
Incidentals	8,534*
Total Expenses	\$29,731
Reserve	2,569
Total	\$32,300

Less Carry-over & Interest	3,000
Less City Contribution	125
Assessed to District	\$29,175

\* Includes Assessment District Management Fee of \$1,717.

The assessments are based on the frontage along San Ysidro Boulevard. The proposed unit assessment for Fiscal Year 1991 is approximately \$1.56 per frontage foot of parcel. The assessment amount in Fiscal Year 1990 was \$1.39 per frontage foot. The increase in the unit assessment reflects a smaller carry-over figure for FY'91.

FILE LOCATION: Subitems A and B STRT M-220

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-120: (R-90-2041) ADOPTED AS RESOLUTION R-275972

Resolution of Intention to disestablish the Gateway Center East Business Improvement District, pursuant to the Parking and Business Improvement Area Law of 1989.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: The Gateway Center East Business Improvement District was established in August, 1987.

The administration of the district was undertaken by the Southeast Economic Development Corporation (SEDC). Assessments were used to provide security services in the Gateway Center East Industrial Park. SEDC has now expressed its intent to terminate the agreement to administer the BID. The reason for the termination relates to concerns over liability to SEDC related to providing the security services. The district was originally established to provide funds to pay for security services. This service is being taken over by property owners in the area. Staff has contacted the businesses in the district in an attempt to identify another organization to replace SEDC. No such entity has been identified. It is therefore recommended that the district be disestablished and that any remaining funds be returned to businesses in proportion to their assessment.

FILE LOCATION: STRT-L-10

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-121: (R-90-2195) ADOPTED AS RESOLUTION R-275973

Amending the North University City Public Facilities  
Phasing Plan by amending the conditions for satisfaction of  
Transportation Threshold 2 of the Plan to allow  
satisfaction of Threshold 2 to occur either at the award of  
a contract for construction of the interchange improvements

at I-5/La Jolla Village Drive (Project NUC-46) or June 30,  
1990, whichever occurs first.

(North University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The current City Council  
adopted North University City Public Facilities Phasing Plan  
provides for satisfaction of threshold projects to occur either  
at the time the improvement is completed and open to the public  
or at the award of a construction contract by a governmental  
Agency. Transportation Threshold 2, of 41,000 Average Daily  
Trips (ADT) was reached in February 1989, and building permits  
are not available in North University City until the award of a  
construction contract by CalTrans for improvements at I-5/La  
Jolla Village Drive. It had been anticipated that the  
construction contract would be awarded during June 1990.  
However, due to delays experienced by CalTrans as a result of  
having to allocate available staffing to the review of repair  
plans for Northern California earthquake damaged roadways, a  
June award date may be in doubt. If the award date were to be  
delayed to July 1, 1990 or later, applicants now in position to  
proceed with their projects would be required to pay an  
additional 6 percent inflationary factor on their FBA. Bid  
openings for the I-5/La Jolla Village Drive interchange project  
occurred on June 7, 1990 and award of a contract is typically  
made within 30 days. Approval of this item would allow  
satisfaction of Threshold 2 to occur at either the date of  
contract award or June 30, 1990, whichever date occurs first.

FILE LOCATION: STRT FB-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,



Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-122: (R-90-2153) ADOPTED AS RESOLUTION R-275974

Authorizing Suggestion Awards to the following City  
employees:

Charles D. Marshall - Fire Department - \$180.

Douglas E. Schulte - Fire Department - \$160.

Richard J. Hunt - Engineering and Development Department -  
\$67.50.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-123: (R-90-2141) ADOPTED AS RESOLUTION R-275975

Excusing Councilmember Wes Pratt from attending the Council  
Meeting of May 29, 1990, to attend to personal family  
matters; and from attending the meetings of the Council and  
Housing Commission on June 4, 1990, and Rules Committee  
meeting on June 6, 1990, due to out of town City business  
with the Metropolitan Transit Development Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-124: (R-90-2205) ADOPTED AS RESOLUTION R-275976

Authorizing George Story, Management Assistant to the City  
Manager, to represent the City of San Diego at the June 28,  
1990 meeting of the Southern California Hazardous Waste  
Management Authority in Los Angeles; authorizing him to  
vote in the City's best interest at the meeting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-125: (R-90-2156) ADOPTED AS RESOLUTION R-275977

A Resolution approved by the City Council in Closed Session on Tuesday, May 8, 1990 by the following vote:

Wolfsheimer-yea; Roberts-yea; Hartley-yea; Pratt-yea; Bernhardt-yea; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$45,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Bernard Acitelli (Superior Court Case No. 603819, Bernard Acitelli v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$45,000 made payable to Bernard Acitelli and his attorney, David S. Casey, Jr., in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims against the City of San Diego by Bernard Acitelli as a result of the incident of January 1, 1988.

Aud. Cert. 9001039.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-126: (R-90-2173) ADOPTED AS RESOLUTION R-275978

A Resolution approved by the City Council in Closed Session on Tuesday, June 7, 1990 by the following vote:

Wolfsheimer-yea; Roberts-yea; Hartley-yea; Pratt-yea; Bernhardt-yea; Henderson-yea; McCarty-yea; Filner-not

present; Mayor O'Connor-not present.

Authorizing the City Manager to pay the total sum of \$29,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Jesus Alberto Nunez (Superior Court Case No. 616583, Jesus Alberto Nunez v. City of San Diego, Waste Management Litter Control, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$29,000 made payable to Jesus A. Nunez and his attorney, Mark Silver, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Jesus Alberto Nunez against the City of San Diego as a result of a traffic accident which occurred on July 11, 1989.  
Aud. Cert. 9001043.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-127: (R-90-2139) ADOPTED AS RESOLUTION R-275979

A Resolution approved by the City Council in Closed Session on Tuesday, May 8, 1990 by the following vote:  
Wolfsheimer-nay; Roberts-yea; Hartley-yea; Pratt-not present; Bernhardt-yea; Henderson-yea; McCarty-nay; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$35,164.38, in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Jeffrey Scott Snyder (Superior Court Case No. 613250, Jeffrey Scott Snyder v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$35,164.38 made payable to Jeffrey Scott Snyder and his attorney of record, Ludlow S. Butler, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the claim of Jeffrey Scott

Snyder against the City of San Diego and/or its agents as a result of an incident which occurred on July 30, 1988.  
Aud. Cert. 9001025.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-128: (R-90-2171) ADOPTED AS RESOLUTION R-275980

Establishing the following refuse disposal fees for non-compacted drag-on boxes (also known as open-top roll-off boxes), irrespective of volume weight of class of container, pursuant to San Diego Municipal Code Section 66.0125:

General Refuse/Demolition	Clean Green
\$100	\$85

Amending paragraph 2.C. of the "Schedule of Refuse Disposal Fees for Fiscal Year 1991" which is on file in the office of the City Clerk as Document No. RR-275312, and pages i and 4 of the "Fee Schedule and Regulations for the Use of City of San Diego Waste Disposal Facilities, Effective July 1, 1990," accordingly to reflect these changes; directing the City Manager to promulgate these changes accordingly.

CITY MANAGER SUPPORTING INFORMATION: On March 19, 1990, Council approved the "Schedule of Refuse Disposal Fees for Fiscal Year 1991" by Resolution R-275312. The fee schedule was coordinated with the County of San Diego fee schedule, and had the support of the San Diego County Disposal Association. On May 29, 1990 the County's Solid Waste Industry Committee requested that the City and County consider establishing a uniform, flat-rate fee for non-compacted drag-on boxes (a.k.a. open-top roll-off boxes). The industry was experiencing difficulty in establishing a pricing structure under the approved fees. City and County staff have reviewed the use of the boxes, and have found as much variation in average weights within each size class as between the classes. A common fee would not disadvantage any class of users and would be easier to administer. An analysis of quantities of non-compacted drag-on boxes and average weights indicates the recommended flat fees of

\$100 for General Refuse or Demolition material, and \$85 for Clean Greens, would be revenue neutral, neither increasing or decreasing revenues to the Refuse Disposal Enterprise Fund. The reduced fees for Clean Greens continues the City's practice of granting a \$2.75 per ton discount for recyclable vegetation which can be ground into mulch to conserve landfill capacity. The San Diego County Disposal Association supports the proposed amendment to the FY 1991 Fee Schedule. Council approval in June, 1990, will allow these revised fees to be in effect, along with the complete fee schedule, on July 1, 1990.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-129:

Two actions relative to Tax Anticipation Notes - Fiscal 1990-91:

Subitem-A: (R-90-2135) ADOPTED AS RESOLUTION R-275981

Authorizing the City Manager to negotiate an agreement with Bankers Trust Securities to purchase and market City of San

Diego short-term Tax and Revenue Anticipation Notes in an amount not to exceed \$80,000,000, under terms and conditions to be set forth and presented to the Council for final approval.

Subitem-B: (R-90-2136) ADOPTED AS RESOLUTION R-275982

Authorizing the execution of an agreement with the law firm of Stradling, Yocca, Carlson & Rauth, P.C., to serve as bond counsel for the City's Tax and Revenue Anticipation Notes 1990-1991 Issuance, together with any necessary modifications or amendments which do not increase the project scope or cost which the City Manager shall deem necessary to carry out the purposes and intent of the agreement; authorizing the expenditure of an amount not to exceed \$30,000 from Fund No. 65013, Account No. 4141, for the purpose of providing funds for the above services.

CITY MANAGER SUPPORTING INFORMATION: Each year the City of San Diego issues short-term notes to fund temporary cash deficits experienced during the year in the City's General Fund. Last year the City issued notes for \$40,000,000. In 1988-89, \$28,000,000 worth of notes were issued. At this time, it is difficult to predict the amount of borrowing that will be required during FY 1990-1991. This will depend in large part upon what actions Council takes during the June budget deliberations. Should additional sources of revenue be approved, it is likely that the income would not be realized until late in the fiscal year, and that a larger borrowing than normal would be required to meet expenses until those revenues were received. The determination of the actual size of the TANS issue would be made after adoption of the FY 1990-1991 budget. The City Treasurer received seven proposals to serve as underwriter. Bankers Trust was selected on the basis of pricing and the experience of the firm in the Tax Anticipation Note market.  
Aud. Cert. 9100018.

FILE LOCATION: Subitems A and B MEET CONTFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-130:

Four actions relative to consultant agreements for map checking services:

Subitem-A: (R-90-2050) ADOPTED AS RESOLUTION R-275983

Authorizing the execution of an agreement with Associated Professional Corporation for consultant services.

Subitem-B: (R-90-2051) ADOPTED AS RESOLUTION R-275984

Authorizing the execution of an agreement with Burkett and Wong for consultant services.

Subitem-C: (R-90-2052) ADOPTED AS RESOLUTION R-275985

Authorizing the execution of an agreement with Pountney and Associates for consultant services.

Subitem-D: (R-90-2053) ADOPTED AS RESOLUTION R-275986

Authorizing the execution of an agreement with RSA Technical Support Services, Inc. for consultant services.

CITY MANAGER SUPPORTING INFORMATION: These four agreements will provide outside expertise for checking of subdivision and parcel map submittals for the City Engineer in order to shorten checking time. The concept was recommended by the Council's Ad Hoc Task Force on Housing Development Processing in its report of March, 1981. Current consultant contracts expired on December 31, 1989. Letters of Interest were solicited from qualified consultants by advertisements appearing in the "Daily Transcript" on September 8, 1989. After reviewing the data submitted by ten responding firms, the Design Consultant Nominating Committee recommended six firms for further consideration. Staff then interviewed the six firms and selected Associated Professional Engineering Corporation; Burkett and Wong; Pountney and Associates; and RSA Technical Support Services, Inc. as the recommended consultants. Aud. Cert. 9001011.

FILE LOCATION: Subitems A, B, C, D MEET CCONFY90-4

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-131: (R-90-1854) RETURNED TO CITY MANAGER

Authorizing the City Manager to execute an agreement with Enforcement Technology, Inc., on behalf of the City, for the collection of delinquent parking violation fees on vehicles registered out of state, together with any

reasonably necessary modifications or amendments which do not increase project the scope or cost which the City Manager shall deem necessary from time to time to carry out the purposes and intent of this project and agreement. (See City Manager Report CMR-90-277.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A196-209.)

MOTION BY McCARTY TO RETURN TO THE CITY MANAGER AT HIS REQUEST TO REDOCKET WHEN CERTAIN ASSURANCES ARE MET. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-132: (R-90-2157) ADOPTED AS RESOLUTION R-275987

Authorizing the execution of an amended Joint Exercise of Powers Agreement with the County of San Diego, for the operation of the San Diego Consortium, formerly known as the San Diego Regional Employment and Training Consortium (RETC).

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego and the County of San Diego have jointly cooperated in providing regional employment and training services through the creation of a local consortium. The cooperation was formalized in a Joint Exercise of Powers Agreement which was adopted in June of 1988. In that agreement, the City of San Diego provides accounting and treasury services through the City Auditor and Comptroller's Office and the Treasurer's Office. Those services are fully reimbursable. It is proposed that the agreement be amended to allow the consortium to provide its own accounting and treasury services.

This change will allow the Consortium to have greater control over its financial affairs, and rely less on the City for services. The City Auditor and Comptroller and the City Treasurer have been assisting the Consortium in preparing to assume this increased responsibility. The effective date of the amended agreement is contingent upon final approval of the accounting system by the City Auditor and Comptroller. It is expected that the accounting system will be in place and operational by July 1, 1990, but there is the possibility that

it could take several months beyond that date. The amended agreement before Council today modifies the accounting and treasury service requirements, and makes other minor changes as to updated titles and addresses. The Board of Supervisors and the City Council are being asked to concurrently adopt the amended agreement. The Regional Employment and Training Consortium (RETC) Policy Board is recommending the adoption of the amended agreement, and the City Manager concurs.



FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-133: (R-90-2005) ADOPTED AS RESOLUTION R-275988

Authorizing the execution of an amendment to the existing City Retirement Board lease with Tishman/Speyer PCA Partners, to add 1,228 square feet of space adjoining the existing offices; authorizing the expenditure of an amount not to exceed \$21,981.20 for additional lease costs for FY 1990/1991 from Fund 60011 for the purpose of providing funds for the above project.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The City Retirement Board office is located in leased space on the fourth floor of the Union Bank Building. The existing lease commenced in May of 1988 and covers 3,675 square feet at a rent of \$5,328.75 per month (\$1.45/sq. ft.) for a period of time ending August 5, 1993. The rent is subject to annual adjustment at the rate of 5 cents per square foot, beginning on August 6, 1990 (i.e., reaches \$1.60/sq.ft. on August 6, 1992). The City Retirement Board is in need of additional office space for increased staff and files. The lessor has agreed to amend the present lease to add 1,228 square feet of currently available space for the duration of their present lease under the existing terms and conditions. The current rental rate structure will be applied to the additional space which will initially require an additional rent of \$1,780.60 per month with annual increases

reaching \$1,964 per month in August 1992 for the added area. This rental is very reasonable in today's market. The landlord will build out the space to the tenant's requirements.  
Aud. Cert. 9100013.

FILE LOCATION: LEAS-Tishman/Speyer PCA Partners  
LEASFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-134: (R-90-2165) ADOPTED AS RESOLUTION R-275989

Authorizing the execution of a three-year lease agreement with San Diego Youth and Community Services, Inc. to provide temporary housing, counseling, training for youths and other community services, and to provide sublease space to San Diegans United for Safe Neighborhoods and office space for Council District No. 3.

(Normal Heights Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The San Diego Youth and Community Services (SDYCS) is a 20-year-old non-profit corporation which serves youths, families and the community. SDYCS operates eight program sites in San Diego County. These include The Bridge, Gatehouse, The Storefront, Community Mediation Center, Neighborhood Outreach Program, Ocean Beach Community Services, and others. Staff is composed of 115 full-time employees and approximately 600 volunteers. SDYCS is requesting to temporarily lease five City-owned residential units in Normal Heights until the City is able to develop the property into a neighborhood park.

The lessee shall sublet 3937 Adams Avenue to San Diegans United for Safe Neighborhoods for \$1 for a three-year term. San Diegans United for Safe Neighborhoods will provide, free of charge, Council District 3 with office space and the use of a common area which will be used solely and exclusively for community services in connection with City business.

FILE LOCATION: LEAS-San Diego Youth and Community Services,  
Inc. LEASFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-135: (R-90-2133) ADOPTED AS RESOLUTION R-275990

Authorizing the City Manager to apply for participation in the California Energy Commission's Compressed Natural Gas Light Duty Vehicle Demonstration Program, under the terms

and conditions to be set forth in subsequent contractual agreements between the California Energy Commission and the City of San Diego; authorizing and empowering the City Manager to execute all documents necessary to implement and carry out the purposes and intent of this resolution.  
(See City Manager Report CMR-90-280.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-136: (R-90-2146) ADOPTED AS RESOLUTION R-275991

Authorizing the City Manager to submit claims to CalTrans and accept funds for a total of \$2,022,100 in State-Local Demonstration Program (SB-140) funds for the following projects: 1) Mission Gorge Road - Old Cliffs Road to

Princess View Drive; 2) Fairmount Avenue - Montezuma Road to I-8; 3) Federal Boulevard - 60th Street to MacArthur Drive.

(Navajo, Southeast San Diego, State University Community Areas. Districts-3 and 7.)

CITY MANAGER SUPPORTING INFORMATION: Senate Bill 140 was passed into law indicating the intent of the State Legislature to provide up to \$300 million annually for ten years to fund a State-Local Transportation Demonstration Program. For the first year of the program cycle, the City has nine major local transportation projects eligible to receive a matching percentage of SB-140 State share funds from CalTrans, the program administrators. Eligible projects in the first cycle must have construction contracts awarded no later than June 30, 1991, and the State share funds must be expended by June 30, 1993. In anticipation of the State/Local Transportation Demonstration Program becoming a multi-year program, the City has prepared three project applications for submittal to CalTrans for the second cycle. Projects in the second cycle must have construction contracts awarded by June 30, 1992 and State share funds expended by June 30, 1994. The maximum State share percentage is 50% of the eligible construction costs. The State share percentage will be adjusted

downward based on the funding level appropriated by the legislature in each fiscal year of the program. This Resolution authorizes the City Manager to submit applications and accept funds from the State for the following projects: 1) Mission Gorge Road - Old Cliffs Road to Princess View Drive, CIP-52-432.0; 2) Fairmount Avenue - Montezuma Road to I-8, CIP-52-433.0; 3) Federal Boulevard - 60th Street to MacArthur Drive, CIP-52-341.0.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (O-90-207) CONTINUED TO JULY 9, 1990

Introduction of an Ordinance changing and reestablishing the boundary lines of the Districts within the City of San Diego for the purpose of nominating members of the City Council and repealing Ordinance O-15370 (NS) adopted on October 27, 1980.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C069-E568.)

MOTION BY PRATT TO CONTINUE TO JULY 9, 1990, DIRECT THE PLANNING DEPARTMENT TO REPORT BACK WITH A LIST OF PLANNING GROUPS NOTIFIED OF THE MATTER, AND DIRECT MEMBERS OF THE COUNCIL TO COMPILE A LIST OF EVERY GROUP THEY WANT NOTICED. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-90-1637) ADOPTED AS RESOLUTION R-275992

Accepting the low bid of Motorola Communications and Electronics, Inc., and authorizing the City Manager to enter into an agreement for the maintenance of the Police Department's communications computer-aided dispatch system hardware and software as may be required for a period of one year beginning, July 1, 1990 through June 30, 1991, at a total cost of \$125,652; authorizing the expenditure of

not to exceed \$125,652 from Fund No. 100, Department No. 110, Organization No. 317, Object Account No. 4222, and Job Order No. 111280 for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-B1564/90)

CITY MANAGER SUPPORTING INFORMATION: The Police Department utilizes a Computer Aided Dispatch (CAD) System to assist in the dispatch of units to calls for service. This system requires maintenance on both hardware and software in order that the system can be operational twenty-four hours a day, seven days a week. Typical tasks would be immediate response to computer crash, repair and replacement of worn parts, diagnostics, and software revision. Under terms of the original contract of the CAD System, Resolution R-254327, Motorola Communications and Electronics, Inc. has proprietary right to the software and the City of San Diego is excluded from disclosing the software program to a third party.

Consequently, by previous contract, Motorola Communications and Electronics, Inc. must warranty the software. It is recommended that Motorola Communications and Electronics, Inc. also provide sole source hardware maintenance for the following reasons. First, hardware and software must work together and a change in one requires a change in the other. Secondly, in a critical operation such as dispatch of police officers, it is essential that computer problems can be identified and resolved in a timely manner. This requires that both hardware and software be maintained by the same vendor. Motorola Communications and Electronics, Inc. has proposed a fee of \$125,652 to provide both hardware and software maintenance for the period of July 1, 1990, through June 30, 1991, an increase of 3.9 percent over current cost. It is recommended that this proposal be accepted.  
Aud. Cert. 9100020.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-90-2199) ADOPTED AS RESOLUTION R-275993

In the matter of the development of a Fire Department based Paramedic Program for the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F066-G233.)

MOTION BY HARTLEY TO APPROVE THE CITY MANAGER'S RECOMMENDATION TO RETURN TO COUNCIL WITH A FINAL REPORT AND DIRECT THE CITY MANAGER TO INCLUDE IN THE REPORT THE FOLLOWING: 1) REVIEW OF POTENTIAL INCREASED LIABILITY COST TO THE CITY, INCLUDING LITIGATION INSURANCE. 2) REVIEW OF CURRENT FIRE DEPARTMENT RESPONSE PRACTICES. 3) ESTIMATE OF A TWO-YEAR CONTRACT TO EXTEND THE PRESENT CONTRACT IN ORDER TO MAKE A COMPARISON TO A FIRE DEPARTMENT BASED PROGRAM. 4) REVIEW OF FIRE DEPARTMENT BASED PROGRAM WITH DETAILS OF START-UP COST AND TRAINING.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S400: (R-90-2068) ADOPTED AS RESOLUTION R-275994

Awarding contracts for the purchase of fire hose and couplings, as may be required through December 31, 1990, for an estimated cost of \$74,752.70, as follows: 1) Halprin Supply Company; 2) L.N. Curtis and Sons; and 3) S.D. Fire Equipment. (BID-D1610/90)

FILE LOCATION: CONT-Purchase-1) Halprin Supply Company; 2) L.N. Curtis and Sons, and 3) S.D. Fire Equipment CONFY90-3

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S401: (R-90-2070) ADOPTED AS RESOLUTION R-275995

Awarding a contract to Donald Blatecky-General Contractor for furnishing and installing two laboratory fume hoods at the Point Loma Wastewater Treatment Plant; authorizing the expenditure of an amount not to exceed \$45,321 from

Department No. 700, Fund No. 41506, Organization No. 405, Object Account No. 4213, and Job Order No. 2511, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-G1338/90)

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for the purchase and installation of two laboratory fume hoods located in the Point Loma Treatment Plant Laboratory. Analyses of toxic, flammable, corrosive and noxious chemicals are performed by chemists under fume hoods for safety and health reasons. The 25+ year old hoods located in the Chemistry

Laboratory are badly corroded and are experiencing other wear problems that are unrepairable because parts are no longer available. Also, they are not designed to handle air flow now required by recent safety regulations. While only one bid was received for this contract, it was an acceptable bid in all aspects.

Aud. Cert. 9001035.

WU-U-90-170.

FILE LOCATION: CONT-Purchase-Donald Blatecky-General  
Contractor CONFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S402: (R-90-2226) ADOPTED AS RESOLUTION R-275996

Declaring June 29, 1990 to be "Friendship Day" with the people and the City of Vladivostok.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S403:

Two actions relative to the Convention and Performing Arts Center:

(See Committee Consultant Analysis PFR-90-12 and City Manager Report CMR-90-270.)

Subitem-A: (R-90-2243) REFERRED TO PUBLIC FACILITIES AND RECREATION COMMITTEE

Amending Council Policy 700-43 regarding Booking and Rental Policies of the Convention and Performing Arts Center.

Subitem-B: (R-90-2244) REFERRED TO BUDGET COMMITTEE

Authorizing the City Manager to implement a revised fee schedule for the Convention and Performing Arts Center.

COMMITTEE ACTION: Reviewed by PFR on 6/13/90.

Recommendation to approve the City Manager's recommendation.

Districts 3, 6, 7 and 8 voted yea. District 1 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B174-204, B281-297, B334-C069.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO RECONSIDER THE ITEM FOR THE PURPOSE OF HEARING PUBLIC TESTIMONY. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO REFER SUBITEM-A TO PUBLIC FACILITIES AND RECREATION COMMITTEE AND REFER SUBITEM-B TO THE BUDGET COMMITTEE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S404: (R-90-2245) ADOPTED AS RESOLUTION R-275997

Authorizing the City Manager to apply for and accept from



the State of California Department of Education grant funding for environmental education of grade levels kindergarten through 12.

CITY MANAGER SUPPORTING INFORMATION: The Environmental Education Grant Fund was established through the Conservation Education Act of 1970. Administered by the State Department of Education, the program is designed to encourage the development and implementation of educational opportunities specifically relating to the conservation of energy, protection of the environment, effects of pollution and major land alterations on ecological systems, and the conservation, interpretation, and the use of natural resources. The primary purpose of the grants is to educate students in Kindergarten to Grade 12 about environmental issues. The Department of Education requires matching funds for each project from the applicant-agency and the local community. The Water Utilities Department is interested in pursuing funding from this program in support of its Water Conservation and Water Reclamation Programs' goal to educate the community. The Department is working in conjunction with the San Diego Unified School District and the San Diego County Water Authority in developing project which may include activity workbooks, demonstrative gardens and interpretive centers. Passage of this Resolution will authorize the Water Utilities Director to apply for and accept funding from the State Department of Education for implementation of these educational programs.  
WU-U-90-183.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S405: (R-90-2029) ADOPTED AS RESOLUTION R-275998

Authorizing the City Manager to extend the Service Agreement of June 6, 1988 with San Diego County to provide the County with partial staffing in connection with the Hazardous Materials Storage and Emergency Response Law, referred to as the Waters Bill, together with any reasonably necessary modifications or amendments which do

not increase the project scope or cost and which the City

Manager shall deem necessary to carry out the purposes and intent of the project and agreement.

CITY MANAGER SUPPORTING INFORMATION: On June 6, 1988, the Council authorized the Fire Department to enter into a two-year Service Agreement with the County of San Diego under which the City would provide the County with partial staffing for plan check and inspection services related to the implementation of the Hazardous Materials Storage and Emergency Response Law, referred to as the Waters Bill (ref: CMR-88-258). The Waters Bill requires businesses to disclose hazardous materials in storage and use to the County Health Department which is designated by law as the Administering Agency. City and County staff desire to extend the current agreement in which the City will provide support to the County in the form of:

- 1) One full-time Fire Prevention Inspector II to plan check Business Plans, and;
- 2) One Fire Prevention Inspector to conduct safety inspections.

This represents a reduction of 1.35 positions.

This action will extend the current agreement which expires June 30, 1990, to June 30, 1992.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: TRAILED TO JUNE 26, 1990, 10:00 A.M.

19900625

19900625

Two actions relative to contracts to provide psychological services for the San Diego Police Department:  
(See City Manager Report CMR-90-293.)

Subitem-A: (R-90-2161)

Authorizing the execution of an agreement with the firms of Focus Psychological Services and Vista Hill Community Treatment Systems, contractors, for continuation of the psychological counseling and training portion of the Police Department's Psychological Services Program from July 1, 1990 through June 30, 1993; authorizing the expenditure of an amount estimated to be \$178,875 from Fund No. 100, Department 110, Organization No. 320, Account No. 4151, Job Order No. 111215, for the purpose of providing funds for the above project.

Subitem-B: (R-90-2162)

Authorizing the execution of an agreement with Russell Gold, Ph.D., contractors, for continuation of the psychological testing and screening of police applicants and other portions of the Police Department's Psychological Services Program from July 1, 1990 through June 30, 1993; authorizing the expenditure of an amount estimated to be \$76,898 from Fund No.100, Department 110, Organization No. 320, Account No. 4151, Job Order No. 111215, for the purpose of providing funds for the above project.  
Aud. Cert. 9100023.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A209-211.)

BY COMMON CONSENT THE MATTER WAS TRAILED TO TUESDAY, JUNE 26, 1990, 10:00 A.M. AT THE REQUEST OF THE CITY MANAGER.

\* ITEM-S407: (R-90-2201) ADOPTED AS RESOLUTION R-275999

Authorizing the execution of a Right of Entry Permit with Matiana Rodriguez for the use of a portion of Pottery Canyon Park for pottery making and incidental uses.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The City has permitted the Rodriguez family to occupy a portion of Pottery Canyon Park for pottery making and incidental uses, since 1928. The permittee owns and lives on adjacent property. This agreement provides for the continued use of the property through December 31, 2001, the death of the permittee, or when the permittee removes its equipment from the property, whichever is sooner. Because of the historic significance of the family and age of the permittee, no rent is being charged. Consideration is the permittee's maintenance and security of the site. The Park and

Recreation Department has no objection to the extension of the agreement.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408:

(Trailed from the Adjourned Meeting of June 4, 1990, Item 105; Continued from the meetings of June 11, 1990, Item 105, and June 18, 1990, Item S403; last continued at the City Manager's request, for further review.)

Two actions relative to the Mira Mesa Facilities Benefit Assessment:

(See City Manager Report CMR-90-220; Committee Consultant Analyses TLU-90-25 and TLU-89-17. Mira Mesa Community Area. District-5.)

Subitem-A: (R-90-1896) ADOPTED AS RESOLUTION R-276000

Approving the document entitled, "Mira Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, April, 1990."

Subitem-B: (R-90-1897) ADOPTED AS RESOLUTION R-276001

Resolution of Intention to designate an area of benefit in Mira Mesa and setting the time and place for holding a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 5/14/90. Recommendation to approve the City Manager's recommended F.B.A. Plan and Financing Schedule with the addition of the Committee Consultant's recommendations contained in TLU-90-25. Districts 1, 2 and 5 voted yea. Districts 4 and 8 not present.

FILE LOCATION: Subitems A and B STRT FB-12

COUNCIL ACTION: (Tape location: E577-F066.)

MOTION BY BERNHARDT TO ADOPT SUBITEMS A AND B WITH THE CHANGES IN THE CITY MANAGER'S ERRATTA SHEET AND DIRECT THE CITY MANAGER TO RESEARCH THE FIVE SITES REQUESTED BY THE PLANNING BOARD AND INCLUDE IN NEXT YEAR'S FBA THE COSTS OF HOOK-UP AND HARDWARE FOR LANDSCAPING. Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S409: (R-90-2249) ADOPTED AS RESOLUTION R-276002

A Resolution approved by the City Council in Closed Session on Tuesday, June 19, 1990 by the following vote:

Wolfsheimer-yea; Roberts-yea; Hartley-yea; Pratt-yea; Bernhardt-yea; Henderson-yea; McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$25,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury and property damages to Stephen T. Riding (Superior Court Case No. 617620, Stephen T. Riding v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$25,000 made payable to Stephen T. Riding and his attorney of record, Andrew J. Edenbaum, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims against the City of San Diego as a result of the incident of February 26, 1989. Aud. Cert. 9001071.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B174-204.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:23 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G233).